

By: Watson

S.B. No. 1655

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of certain information.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.101, Government Code, is amended to read as follows:

Sec. 552.101. EXCEPTION: CONFIDENTIAL INFORMATION.

(a) Information is excepted from the requirements of Section 552.021 if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision.

(b) This section does not encompass the attorney-client privilege, the work product privilege, other exceptions in this Chapter, or state or federal discovery privileges, including but not limited to the Texas Rules of Civil Procedure, Texas Rules of Evidence, Texas Disciplinary Rules of Professional Conduct, Federal Rules of Evidence, and Federal Rules of Civil Procedure.

SECTION 2. Section 552.302, Government Code, is amended to read as follows:

Sec. 552.302. FAILURE TO MAKE TIMELY REQUEST FOR ATTORNEY GENERAL DECISION; PRESUMPTION THAT INFORMATION IS PUBLIC. (a) If a governmental body does not request an attorney general decision as provided by Section 552.301 and provide the requestor with the information required by Sections 552.301(d) and (e-1), the information requested in writing is presumed to be subject to required public disclosure and must be released unless there is a

1 compelling reason to withhold the information.

2 (b) Notwithstanding subsection (a), Sections 552.103,
3 552.104, 552.105, 552.106, 552.108, 552.111, 552.112, 552.116,
4 552.122, 552.125, 552.144, 552.146, 552.153, and 552.154 do not
5 constitute compelling reasons to withhold information for a
6 governmental body that fails to comply with the requirements of
7 Section 552.301.

8 SECTION 3. This Act takes effect September 1, 2017.